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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,192	06/21/2001	Masao Okura	16869P-021000	8459

20350 7590 11/02/2005

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EXAMINER

HAQ, NAEEM U

ART UNIT PAPER NUMBER

3625

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Amendment

Notice of Non-Responsive Amendment, Bona Fide Attempt

Applicants' amendment filed on August 16, 2005 presenting only claims drawn to a non-elected invention is non-responsive (see MPEP § 821.03). Amended claims 1-5 and newly presented claims 18-22 are directed to an invention that is independent or distinct from the invention originally claimed for the following reason: These claims are now directed to displaying a limited set of goods having promotion points. This invention was presented in the original set of claims which the Examiner restricted and which the Applicants chose not to elect (See restriction requirement dated September 29, 2004 and Applicants' Response filed on November 3, 2004). Therefore, since the Applicants have received an action on the merits for the originally presented and elected invention, this (i.e. originally presented) invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1-5 and 18-22 are hereby withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The two inventions are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the originally elected set of claims has separate utility such as a method for ordering electronic goods which does not require the use of promotional points. See MPEP § 806.05(d).

Art Unit: 3625

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, Applicants are given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (571)-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/888,192


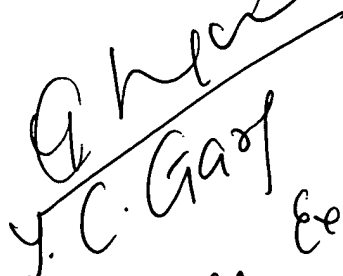
Page 4

Art Unit: 3625

Naeem Haq, Patent Examiner

Art Unit 3625

October 28, 2005



Y. C. Gao
Primary Examiner.